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May 24, 2005

**FAX**

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Centralized Fax Dept. GAU 3729 Examiner Minh N. Trinh	703.872.9306	U.S. Patent and Trademark Office Alexandria, VA 22313-1450

Brenda O. Holmes

FROM

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PAGES (WITH COVER)

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REFERENCE NO

44471/299231

CLIENT/MATTER NO.

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**COMMENTS**

Applicant: Kenichi SUGIYAMA  
Title: Plane Carbon Commutator and Producing Method Thereof  
Serial No./Docket No.: 10/815,493 44471/299231  
Filed: 04/01/2004

**PAPERS SUBMITTED:**

1. PTO/SB/21 – Transmittal form;
2. PTO/SB/06 – Patent Application Fee Determination Record ;
3. PTO/SB/22 – Petition for Extension of Time (1 month);
4. First Response in application to non-final Office Action of 1/24/05;
5. PTO-2038 Credit card payment form.

Date: May 24, 2005

By: Brenda O. Holmes, Reg. No. 40,339

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PTO/SB/21 (09-04)

Approved for use through 07/31/2008, OMB 0851-0031

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<b>TRANSMITTAL FORM</b>  <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/815,493
	Filing Date	04/01/2004
	First Named Inventor	Kenichi SUGIYAMA
	Art Unit	3729
	Examiner Name	Minh N. Trinh
Total Number of Pages in This Submission	Attorney Docket Number	44471/299231

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>PTO/SB/06 - Fee Determination Record</b>
Remarks <input style="width: 100%;" type="text"/>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	KILPATRICK STOCKTON LLP		
Signature	<i>Brenda O. Holmes</i>		
Printed name	Brenda O. Holmes		
Date	05/24/2005	Reg. No.	40,339

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO's Centralized Facsimile Number (703) 872.9308 on the date shown below.		
Signature	<i>Janie Wilkins</i>	
Typed or printed name	Janie Wilkins	Date 05/24/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08 (12-04)

Approved for use through 7/31/2006. OMB 0551-0032

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875						Application or Docket Number 10/815,493			
<b>APPLICATION AS FILED – PART I</b>									
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY			
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)	RATE (\$)	FEE (\$)	RATE (\$)		
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	385	N/A		N/A		
SEARCH FEE (37 CFR 1.16(d), (f), or (m))	N/A	N/A	N/A		N/A		N/A		
EXAMINATION FEE (37 CFR 1.16(e), (p), or (q))	N/A	N/A	N/A		N/A		N/A		
TOTAL CLAIMS (37 CFR 1.16(j))	1	minus 20 =	- 0	x 9 =	0	OR	x =		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	1	minus 3 =	- 0	x 43 =	0	OR	x =		
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).								
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(i))			N/A		N/A				
				TOTAL	385	TOTAL			
* If the difference in column 1 is less than zero, enter "0" in column 2.									
<b>APPLICATION AS AMENDED – PART II</b>									
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(g))	1	Minus	20	= 0	x 25 =	0	OR	x =
	Independent (37 CFR 1.16(h))	1	Minus	3	= 0	x 100 =	0	OR	x =
	Application Size Fee (37 CFR 1.16(s))								
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(i))								
				TOTAL ADD'L FEE	0	TOTAL ADD'L FEE			
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(g))	"	Minus	"	"	x =	"	OR	x =
	Independent (37 CFR 1.16(h))	"	Minus	"	"	x =	"	OR	x =
	Application Size Fee (37 CFR 1.16(s))								
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(i))								
				TOTAL ADD'L FEE		TOTAL ADD'L FEE			
<p>* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.</p> <p>** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".</p> <p>*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".</p> <p>The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.</p>									

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## PATENTS

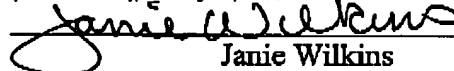
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MAY 24 2005

In re Application of: )  
Kenichi Sugiyama )  
Serial No. 10/815,493 ) Art Unit: 3729  
Filed: April 1, 2004 ) Examiner: Trinh, Minh N.  
(Divisional of 09/579,294 filed May 25, 2000) )  
For: Method of Producing Plane Carbon ) Attorney Docket No. 44471/299231  
Commutator )

## CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being transmitted to the  
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Janie Wilkins

DATE: May 24, 2005

**FIRST RESPONSE**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Office action dated January 24, 2005 in the patent application identified above, please enter the following amendments and reconsider the application in view of the appended remarks. A request for a one-month extension of time accompanies this response.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 4 of this paper.